

A RESOLUTION**BY: COUNCILMEMBER CEASAR C. MITCHELL****A RESOLUTION TO SUPPORT H.R. 2447 TO ESTABLISH AN ENERGY AND ENVIRONMENT BLOCK GRANT PROGRAM THAT IS PRESENTLY BEFORE THE UNITED STATES CONGRESS; AND FOR OTHER PURPOSES.**

WHEREAS, global warming is becoming one of the most serious challenges facing the world today; and

WHEREAS, global warming causes toxic pollution, worldwide sea level rise, increased strength of hurricanes, changes in agricultural yields, species extinction, glacier retreat, and an increase in the incidences of infectious diseases; and

WHEREAS, certain human behavior and activity contribute to the emission of greenhouse gases, which, in turn, cause global climate change; and

WHEREAS, global climate change poses a serious threat to the delicate marine ecosystems and the natural environment; and

WHEREAS, nations, states, corporations and individuals must take actions now to reduce emissions of heat-trapping gases in order to protect the environment, health and economic well-being of current and future generations; and

WHEREAS, these actions call for a greater reliance on alternate, cleaner and renewable energy sources; and

WHEREAS, Congressmen Albert R. Wynn of Maryland introduced an energy bill (H.R. 2447) on May 23, 2007, to assist cities, counties and states in their energy efficiency efforts to reduce emissions of greenhouse gases and global warming; and

WHEREAS, the bill is called the "Energy and Environment Block Grant Act of 2007", which would establish a new block grant program, modeled on the Community Development Block Grant (CDBG) program, to provide funds for local energy initiatives, including "green" building projects, building and home energy conservation programs, alternative fuels, and "Smart Growth" planning and zoning; and

WHEREAS, the U. S. Conference of Mayors, based in Washington DC, has endorsed the program and has been lobbying for the measure, which authorizes \$4 billion for fiscal year 2008; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the Atlanta City Council endorses H.R. 2447 "Energy and Environment Block Grant Act of 2007" that is presently before the United States Congress.

SECTION 2: That the Atlanta City Council urges the Georgia Congressional Delegation to support H.R. 2447, a copy of which is attached and made a part of this legislation.

SECTION 3: That the Municipal Clerk is hereby directed to forward a copy of this resolution to all members of the Georgia delegation in the United States Congress.

HR 2447 IH

110th CONGRESS

1st Session

H. R. 2447

To establish an Energy and Environment Block Grant Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES**May 23, 2007**

Mr. WYNN (for himself, Mr. TURNER, Mr. ENGEL, Mr. PALLONE, Mr. KENNEDY, Mr. INSLEE, Mr. BUTTERFIELD, Mr. WEINER, Mr. HASTINGS of Florida, and Mr. CARNAHAN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish an Energy and Environment Block Grant Program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Energy and Environment Block Grant Act of 2007'.

SEC. 2. FINDINGS.

The Congress finds the following:

- (1) Based on a recent United Nations report, the world scientific community now agrees that global warming is caused by the emission of greenhouse gases from human behavior and activity.
- (2) The United States, while representing less than 5 percent of the

world's population, releases a projected 25 percent of all greenhouse gases emitted worldwide.

(3) Local governments are particularly well positioned to develop, implement, and promote energy efficiency and greenhouse gas reduction strategies at the community level, as part of a comprehensive national strategy to address global warming.

(4) The release of significant amounts of greenhouse gases occurs as a result of energy consumed by buildings and homes, and 39,300,000 new homes and 20,000,000,000 square feet of commercial office space are projected to be constructed between 2007 and 2031.

(5) Local governments, through revised building codes, building inspection, and the promotion of energy efficient retrofits and conservation measures, are uniquely positioned to work with their local business communities to encourage energy efficiency and greenhouse gas reduction strategies within the building construction and management sectors.

(6) The development of community-based conservation programs that reduce the usage of energy in homes and transportation will yield immediate and significant reductions of a jurisdiction's overall carbon emissions. Many cities have already signed Climate Protection Agreements, including a goal of all buildings being carbon neutral by 2030.

(7) Local governments control or influence land use, transportation, and development planning that directly impacts the design of a community, a major factor in the amount of greenhouse gases emitted.

(8) The development of local energy and environment comprehensive plans will provide local governments the strategies they need to establish specific energy efficiency and greenhouse gas emission reduction goals and milestones.

SEC. 3. DEFINITIONS.

For purposes of this Act--

(1) the term `eligible entity' means a State or an eligible unit of local government within a State;

(2) the term `eligible unit of local government' means--

(A) a city with a population of at least 50,000; and

(B) a county with a population of at least 200,000;

(3) the term 'greenhouse gas' means--

(A) carbon dioxide;

(B) methane;

(C) nitrous oxide;

(D) hydrofluorocarbons;

(E) perfluorocarbons;

(F) sulfur hexafluoride; and

(G) any other anthropogenically-emitted gas that is determined by the Secretary, after notice and comment, to contribute to global warming to a non-negligible degree;

(4) the term 'Secretary' means the Secretary of Energy; and

(5) the term 'State' means one of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States.

SEC. 4. ESTABLISHMENT OF PROGRAM.

The Secretary shall establish an Energy and Environment Block Grant Program to make block grants to eligible entities as provided in this Act.

SEC. 5. ALLOCATIONS.

(a) In General- Of the funds appropriated for making grants under this Act for each fiscal year, the Secretary shall allocate 70 percent to be provided to eligible units of local government as provided in subsection (b) and 30 percent to be provided to States as provided in subsection (c).

(b) Eligible Units of Local Government- The Secretary shall provide grants to eligible units of local government according to a formula giving equal weight to--

(1) population, according to the most recent available Census data; and

(2) daytime population, or another similar factor such as square footage

of commercial, office, and industrial space, as determined by the Secretary.

(c) States- The Secretary shall provide grants to States according to a formula based on population, according to the most recent available Census data.

(d) Publication of Allocation Formulas- Not later than 90 days before the beginning of any fiscal year in which grants are to be made under this Act, the Secretary shall publish in the Federal Register the formulas for allocation described in subsection (b)(1) and (b)(2).

SEC. 6. ELIGIBLE ACTIVITIES.

Funds provided through a grant under this Act may be used for the following activities:

(1) Development and implementation of an Energy Efficiency and Climate Protection Strategy under section 8 or 9.

(2) Retaining technical consultant services to assist an eligible entity in the development of such Strategy, including--

(A) estimation of the 1990 levels of greenhouse gas emissions within the jurisdiction of the eligible entity;

(B) determination of baseline greenhouse gas emissions for 2006 or the most recent year for best available data;

(C) formulation of energy efficiency and greenhouse gas emission reduction goals;

(D) identification of strategies to meet such goals through major emitters of greenhouse gases;

(E) identification of strategies to encourage behavioral changes among the populace that will help achieve such goals;

(F) development of methods to measure progress in achieving such goals;

(G) development and preparation of annual reports to the citizenry of the eligible entity's energy efficiency and greenhouse gas reduction strategies and goals, and progress in achieving them;

(H) analysis of potential mitigation strategies to offset the negative environmental impacts of global warming on the community; and

(G) other measures that have the effect of increasing fuel

efficiencies and decreasing fuel consumption.

(10) Development and implementation of alternative fuel technologies in public fleets that result in significant greenhouse gas emission reductions, including the retrofitting of diesel bus fleets with high technology exhaust filters and the purchase of zero-emission hydrogen fuel cell buses.

(11) Development and implementation of alternative fuel infrastructure that results in significant reductions in greenhouse gas emissions.

(12) Development and implementation of intelligent transportation systems designed to reduce congestion and related greenhouse gas emissions.

(13) Development and implementation of building codes and inspection services for public, commercial, industrial, and single and multifamily residential buildings to promote energy efficiency.

(14) Application and implementation of alternative energy and energy distribution technologies that significantly increase energy efficiency and reduce greenhouse gas emissions, including solar, wind, geothermal, district heating and cooling systems, and other renewable energy resources.

(15) Development and promotion of land use guidelines or requirements that result in energy efficiency and greenhouse gas emission reductions, including mixed use development, transit-oriented development, active living land use planning, and alternative transportation infrastructure such as bike lanes and pathways, pedestrian-oriented transportation, and parking for alternative forms of transportation.

(16) Promotion of greater participation and efficiency rates for material conservation programs, including source reduction, recycling, and recycled content procurement programs that lead to increases in energy efficiency and reductions in greenhouse gas emissions.

(17) Establishment of an office to assist in the development and implementation of the Energy Efficiency and Climate Protection Strategy.

SEC. 7. INELIGIBLE ACTIVITIES.

Funds provided through a grant under this Act may be not used for the following activities:

(1) Purchase or leasing of equipment or vehicles for the private sector.

(2) Purchase of pollution control equipment for private electric utilities.

SEC. 8. REQUIREMENTS FOR ELIGIBLE UNITS OF LOCAL GOVERNMENT.

(a) Proposed Strategy- Not later than 1 year after being awarded a grant under this Act, an eligible unit of local government shall submit to the Secretary a proposed Energy Efficiency and Climate Protection Strategy which establishes goals for increased energy efficiency and reduction of greenhouse gas emissions in the jurisdiction of the eligible units of local government. The Strategy shall include plans for the use of funds received under the grant to assist the eligible unit of local government in the achievement of such goals, consistent with sections 6 and 7. In developing such a Strategy, an eligible unit of local government shall take into account any plans for the use of funds by adjoining eligible units of local governments funded under this Act.

(b) Approval- The Secretary shall approve or disapprove a proposed Strategy submitted under subsection (a) not later than 90 days after receiving it. If the Secretary disapproves a proposed Strategy, the Secretary shall provide to the eligible unit of local government the reasons for such disapproval. The eligible unit of local government may revise and resubmit the Strategy, as many times as required, until approval is granted.

(c) Funding for Preparation of Strategy-

(1) IN GENERAL- Until the Secretary has approved a proposed Energy Efficiency and Climate Protection Strategy under subsection (b), the Secretary shall only disburse to an eligible unit of local government \$200,000 or 20 percent of the grant, whichever is greater, which may be used only for preparation of the Strategy.

(2) REMAINDER OF FUNDS- The remainder of an eligible unit of local government's grant funds awarded but not disbursed under paragraph (1) shall remain available and shall be disbursed by the Secretary upon approval of the Strategy.

(d) Limitations on Use of Funds- Of the amounts provided through a grant under this Act, an eligible unit of local government may use--

(1) not more than 10 percent, or \$75,000, whichever is greater, for administrative expenses, not including expenses needed to meet reporting requirements under this Act;

(2) not more than 20 percent, or \$250,000, whichever is greater, for the establishment of revolving loan funds; and

(3) not more than 20 percent, or \$250,000, whichever is greater, for subgranting to nongovernmental organizations for the purpose of assisting in the implementation of the Energy Efficiency and Climate Protection Strategy.

(e) Annual Report- Not later than 2 years after receipt of the first disbursement of funds from a grant awarded under this Act, and annually thereafter, an eligible unit of local government shall submit a report to the Secretary on the status of the Strategy's development and implementation, and, where practicable, a best available assessment of energy efficiency gains and greenhouse gas reductions within the jurisdiction of the eligible unit of local government.

SEC. 9. REQUIREMENTS FOR STATES.

(a) Allocation of Grant Funds- A State receiving a grant under this Act shall use at least 70 percent of the funds received to provide subgrants to units of local government in the State that are not eligible units of local government. The State shall make such subgrant awards not later than 6 months after approval of the State's Strategy under subsection (c).

(b) Proposed Strategy- Not later than 120 days the date of enactment of this Act, each State shall submit to the Secretary a proposed Energy Efficiency and Climate Protection Strategy which establishes a process for making subgrants described in subsection (a), and establishes goals for increased energy efficiency and reduction of greenhouse gas emissions in the jurisdiction of the State. The Strategy shall include plans for the use of funds received under a grant under this Act to assist the State in the achievement of such goals, consistent with sections 6 and 7.

(c) Approval- The Secretary shall approve or disapprove a proposed Strategy submitted under subsection (b) not later than 90 days after receiving it. If the Secretary disapproves a proposed Strategy, the Secretary shall provide to the State the reasons for such disapproval. The State may revise and resubmit the Strategy, as many times as required, until approval is granted.

(d) Funding for Preparation of Strategy-

(1) IN GENERAL- Until the Secretary has approved a proposed Energy Efficiency and Climate Protection Strategy under subsection (b), the Secretary shall only disburse to a State \$200,000 or 20 percent of the grant, whichever is greater, which may be used only for preparation of the Strategy.

(2) REMAINDER OF FUNDS- The remainder of a State's grant funds awarded but not disbursed under paragraph (1) shall remain available

and shall be disbursed by the Secretary upon approval of the Strategy.

(e) Limitations on Use of Funds- Of the amounts provided through a grant under this Act, a State may use not more than 10 percent for administrative expenses.

(f) Annual Reports- A State shall annually report to the Secretary on the development and implementation of its Strategy. Each such report shall include--

- (1) a status report on the State's subgrant program described in subsection (a);
- (2) a best available assessment of energy efficiency gains and greenhouse gas reductions achieved through the State's Strategy; and
- (3) specific energy efficiency and greenhouse gas reduction goals for future years.

SEC. 10. REVIEW AND EVALUATION.

The Secretary may review and evaluate the performance of grant recipients, including by performing audits, and may deny funding to such grant recipients for failure to properly adhere to--

- (1) the Secretary's guidelines and regulations relating to the program under this Act, including the misuse or misappropriation of funds; or
- (2) the grant recipient's Strategy.

SEC. 11. OFFICE OF ENERGY AND ENVIRONMENTAL BLOCK GRANTS.

(a) Establishment- The Secretary shall establish an Office of Energy and Environmental Block Grants to administer the program under this Act. The Director of the Office shall have the title of Assistant Secretary for Energy Efficiency and Climate Protection.

(b) State and Local Advisory Committee- The Office shall establish a State and Local Advisory Committee to provide it advice regarding the administration, direction, and evaluation of the program under this Act, and to assist in developing priorities for the Research, Technical Assistance, and Education Program established under section 12.

(c) Authorization of Appropriations- There are authorized to be appropriated to the Secretary for administrative expenses of the Office established under

- (1) \$20,000,000 for fiscal year 2008;
- (2) \$20,000,000 for fiscal year 2009;
- (3) \$25,000,000 for fiscal year 2010;
- (4) \$25,000,000 for fiscal year 2011; and
- (5) \$30,000,000 for fiscal year 2012.

(a) Establishment- The Office of Energy and Environmental Block Grants shall establish and carry out a Research, Technical Assistance, and Education Program to provide--

- (1) technical assistance to State and local governments;
- (2) public education programs;
- (3) demonstration of innovative energy efficiency and greenhouse gas reduction systems, technologies, and practices; and
- (4) research and development of effective measurement methodologies, methods for changing or influencing public participation in energy efficiency and greenhouse gas reduction programs, and other methods to increase public awareness of, and action on, the global warming crisis.

(c) Authorization of Appropriations- There are authorized to be appropriated to the Secretary for carrying out this section \$150,000,000 for each of the fiscal years 2008 through 2012.

There are authorized to be appropriated to the Secretary for grants under this Act--

- [illegible]

- (2) \$4,000,000,000 for fiscal year 2009;
- (3) \$5,000,000,000 for fiscal year 2010;
- (4) \$5,000,000,000 for fiscal year 2011; and
- (5) \$6,000,000,000 for fiscal year 2012.

END